

AMENDMENT TO RULES COMMITTEE PRINT 118-

10

OFFERED BY MR. DELUZIO OF PENNSYLVANIA

At the end of title XVIII, add the following:

1 **SEC. ____ . SAFE FREIGHT ACT OF 2023.**

2 (a) SHORT TITLE.—This section may be cited as the
3 “Safe Freight Act of 2023”.

4 (b) FREIGHT TRAIN CREW SIZE.—Subchapter II of
5 chapter 201 of title 49, United States Code, is amended
6 by inserting after section 20153 the following:

7 **“§ 20154. Freight train crew size safety standards**

8 “(a) MINIMUM CREW SIZE.—Except as provided in
9 subsections (b) and (c), a freight train operated by a Class
10 I railroad may not be operated without a 2-person crew
11 consisting of at least 1 appropriately qualified and cer-
12 tified conductor and 1 appropriately qualified and certified
13 locomotive engineer.

14 “(b) EXCEPTIONS.—

15 “(1) IN GENERAL.—Except as provided in para-
16 graph (2), the requirement under subsection (a)
17 shall not apply with respect to—

1 “(A) train operations on track that is not
2 a main line track (as defined in section
3 20173(a)(2);

4 “(B) locomotives performing assistance to
5 a train that has incurred mechanical failure or
6 lacks the power to traverse difficult terrain, in-
7 cluding traveling to or from the location where
8 assistance is provided;

9 “(C) locomotives that—

10 “(i) are not attached to any equip-
11 ment or are attached only to a caboose;
12 and

13 “(ii) do not travel farther than 50
14 miles from the point of origin of such loco-
15 motive; and

16 “(D) train operations staffed with fewer
17 than a 2-person crew at least 1 year before the
18 date of the enactment of the Safe Freight Act
19 of 2023 unless the Secretary determines that
20 such operations do not achieve an equivalent
21 level of safety as would result from compliance
22 with the requirement under subsection (a).

23 “(2) TRAINS INELIGIBLE FOR EXCEPTION.—

24 The exceptions under paragraph (2) may not be ap-
25 plied to—

1 “(A) a high-hazard train (as defined in
2 section 20155(a)); or

3 “(B) a train consist with a total length of
4 at least 7,500 feet.

5 “(c) WAIVER.—A railroad carrier may seek a waiver
6 of the requirements under subsection (a) in accordance
7 with section 20103(d).

8 “(d) PRESERVATION OF AUTHORITY.—Nothing in
9 this section may be construed to restrict the authority of
10 the Secretary.”.

11 (c) CLERICAL AMENDMENT.—The analysis for sub-
12 chapter II of chapter 201 of title 49, United States Code,
13 is amended by inserting after the item relating to section
14 20153 the following:

“20154. Freight train crew size safety standards.”.

